



Pacific Egg & Poultry Association
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October 4, 1999

Dockets Management Board (HFA-305)
 Food and Drug Administration
 5630 Fishers Lane, Room 1061
 Rockville, MD 20852

Re: Docket No. 98N-1230

To Whom It May Concern:

The Pacific Egg & Poultry Association (PEPA) is a non-profit trade association representing nearly 200 egg producer/processors and allied industry located throughout the 11 western United States. The preponderance of members reside in the state of California.

For several years now, we have made food safety an issue of utmost concern to our association and its members. Nearly 5 years ago we began development of the California Egg Quality Assurance Plan which now certifies 60 producer/processors representing over 99% of California's 25 million layer population. As part of the certification process, we require participants to attend continuing education classes and our own California Department of Food & Agriculture Area Veterinarians conduct regular audits to insure that participants remain in compliance with the program. In addition, PEPA has been the sponsor of legislation in the California State Legislature each of the last 3 years which has further strengthened and improved the refrigeration and labeling laws as they relate to eggs. Furthermore, we have held regular meetings with the retail/grocery industry to improve the handling of eggs at the retail level. In short, we are very committed to insuring the overall safety of shell eggs.

With this commitment in mind, however, we do have serious reservations regarding the *Safe Handling Instructions* label as proposed by FDA for use on egg cartons. We contend that this label serves as a warning rather than clearly conveying to consumers specific recommended actions. In fact, research commissioned by the American Egg Board corroborates our contention that the proposed label language is alarmist rather than educational and is less effective than alternative labels in promoting a change in how consumers handle their eggs. Finally, the proposed FDA label is of such a length that it will not fit on most pulp cartons. Pulp cartons, which are the most widely used in the industry, have air passages which allow for rapid cooling of eggs. These air passages diminish the space that is available for printing.

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Also, based on studies conducted by the Center for Consumer Research, University of California, Davis, and by the California Department of Health Services, the following conclusions may be made:

- 1) Pictures (icons) depicting specific preparation activities are preferred and are better understood.
- 2) Most consumers are already aware of Salmonella in eggs and,
- 3) Consumers refrigerate eggs just as they do other perishables such as milk, cheese, and meat.

We believe that consumers have become weary of labels and/or warnings and as a result, no longer pay attention to them. This is particularly true in California where Proposition 65 warnings abound; on everything from gasoline pumps to beauty supplies to garden hoses. Because manufacturers, either through their own volition, or because of concerns over liability or because they have been required to warn by law, are now inundating consumers with various assorted labels and warnings. We believe a better way would be to inform the consuming public as to how they may change their behavior.

In closing, we believe that a simpler, more succinct label (such as that which has been put forth by the United Egg Producers) coupled with an effective educational campaign, is the most effective means by which we can encourage safe handling practices.

We thank you for this opportunity to comment on the aforementioned proposal.

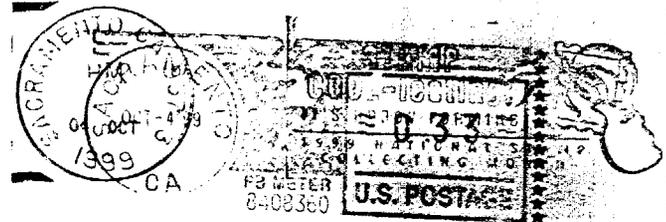
Sincerely,



Anne Downs
Executive Director



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CROSS FILE SHEET

File Number:

98N-1230/ c 746

See File Number:

97P-0197/ c 747

96P-0418/ c 746